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APPLICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/694,074	10/694,074 10/27/2003		Nathan R. Belk	073670.0183	3795	
5073	7590	06/06/2006		EXAMINER		
BAKER BO			YENKE, I	YENKE, BRIAN P		
SUITE 600	71 V DIVOL	•	ART UNIT	PAPER NUMBER		
DALLAS, T	ΓX 7520	1-2980	2622	2622		
			DATE MAILED: 06/06/2006			

Please find below and/or attached an Office communication concerning this application or proceeding.

		Applicati	on No.	Applicant(s)				
		10/694,0	74	BELK, NATHAN R.				
Office Action Summary			r	Art Unit				
		BRIAN P.	YENKE	2622				
Ti Period for R	he MAILING DATE of this communication eply	on appears on th	e cover sheet with the c	orrespondence ad	ddress			
WHICHE - Extension after SIX (- If NO peric - Failure to Any reply	TENED STATUTORY PERIOD FOR F VER IS LONGER, FROM THE MAILII s of time may be available under the provisions of 37 (6) MONTHS from the mailing date of this communicat od for reply is specified above, the maximum statutory reply within the set or extended period for reply will, by received by the Office later than three months after the tent term adjustment. See 37 CFR 1.704(b).	NG DATE OF TI CFR 1.136(a). In no evi tion. period will apply and w y statute, cause the app	HIS COMMUNICATION ent, however, may a reply be tin fill expire SIX (6) MONTHS from blication to become ABANDONE	N. nely filed the mailing date of this o D (35 U.S.C. § 133).	,			
Status								
1)□ Re	sponsive to communication(s) filed on	•						
·		·] This action is r	non-final.					
<i>'</i> =	<u> </u>							
•	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposition	of Claims							
4a) 5)□ Cla 6)□ Cla	tim(s) <u>1-27</u> is/are pending in the applic Of the above claim(s) is/are witim(s) is/are allowed. tim(s) is/are rejected. tim(s) is/are objected to.		nsideration.					
8)⊠ Cla	im(s) <u>1-27</u> are subject to restriction ar	nd/or election re	quirement.					
Application	Papers							
10)∭ The App Rep	specification is objected to by the Exact drawing(s) filed on is/are: a) licant may not request that any objection placement drawing sheet(s) including the coath or declaration is objected to by the specific and specific and specific are specifically as a specific and specific are specifically as a specific and specific are specifically as a specific are specifica	accepted or by to the drawing(s) correction is require	oe held in abeyance. See ed if the drawing(s) is ob	e 37 CFR 1.85(a). jected to. See 37 C	, ,			
Priority und	er 35 U.S.C. § 119							
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 								
Attachment(s) 1) Notice of	References Cited (PTO-892)		4) Interview Summary	(PTO-413)				
2) Notice of I	Draftsperson's Patent Drawing Review (PTO-94 n Disclosure Statement(s) (PTO-1449 or PTO/5)/Mail Date		Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:	ate	O-152)			

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Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claims 1-11 and 26-27, are drawn to an integrated channel filter/tuner to reduce a
 1st number of channels down to a 3rd number of channels, classified in 348/725.
 - II. Claims 12-25 are drawn a filtering system/method to provide an reduced channel intermediate output signal, classified in 333/174.
- 2. Inventions of Group I and Group II are related as combination and subcombination disclosed as useable together in a single combination. Inventions in this relationship are distinct if it can be shown that the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and that the subcombination has utility by itself or in other combinations. The combination (Group I) discloses an integrated circuit/system which filters/tunes an input signal into a desired channel. The subcombination (Group II) discloses a filtering system/method for providing an intermediate 2nd number of channels from a receiving input comprising a 1st number of channels. In the instant case, the combination (Group I) as claimed does not require the particulars of the subcombination (Group II) as claimed because the claims to both the combination and subcombination are presented and assumed to be patentable. The omission of details of the claimed subcombination (Group I) in the combination claim (Group II) is evidence that the patentability of the combination does not rely on the details of the specific combination. The subcombination (Group I) has separate utility since the

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subcombination may be used for filtering a signal which does not require a tuner. See (MPEP 806.05(c)).

- 3. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.
- 4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.43).
- 5. Applicant is reminded that upon cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Yenke whose telephone number is (571)272-7359. The examiner work schedule is Monday-Thursday, 0730-1830 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, David L. Ometz, can be reached at (571)272-7593.

Any response to this action should be mailed to:

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Washington, D.C. 20231

or faxed to:

(571)-273-8300

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is

(703)305-HELP.

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(TDD) 703-305-7785

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For other technical patent information needs, the Patent Assistance Center can be reached through customer service representatives at the above numbers, Monday through Friday (except federal holidays) from 8:30 a.m. to 5:00 p.m. EST/EDT.

The Patent Electronic Business Center (EBC) allows USPTO customers to retrieve data, check the status of pending actions, and submit information and applications. The tools currently available in the Patent EBC are Patent Application Information Retrieval (PAIR) and the Electronic Filing System (EFS). PAIR (http://pair.uspto.gov) provides customers direct secure access to their own patent application status information, as well as to general patent information publicly available. EFS allows customers to electronically file patent application documents securely via the Internet. EFS is a system for submitting new utility patent applications and pregrant publication submissions in electronic publication-ready form. EFS includes software to help customers prepare submissions in extensible Markup Language (XML) format and to assemble the various parts of the application as an electronic submission package. EFS also allows the submission of Computer Readable Format (CRF) sequence listings for pending biotechnology patent applications, which were filed in paper form.

02 June 2006

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